

# United States District Court

## SOUTHERN DISTRICT OF CALIFORNIA

Baker

v.

### JUDGMENT IN A CIVIL CASE

Hornbeak

**CASE NUMBER:** 09-cv-01025-BTM-AJB

- Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.
- Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

#### IT IS ORDERED AND ADJUDGED

that the Court adopts the Report and Recommendation. The Petition for Writ of Habeas Corpus shall be dismissed with prejudice. The motion for a stay captioned as "Motion Requesting a Protective Petition" is denied as moot. The Court denies a Certificate of Appealability.....

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January 27, 2010

Date

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W. Samuel Hamrick, Jr.

Clerk

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S/ T. Lee

(By) Deputy Clerk

ENTERED ON January 27, 2010